

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

Felecia Stinson,	:	
	:	Civil Action No.: 4:15-cv-876
Plaintiff,	:	
v.	:	
Medicredit, Inc.; and DOES 1-10, inclusive,	:	COMPLAINT
Defendants.	:	
	:	
	:	

For this Complaint, Plaintiff, Felecia Stinson, by undersigned counsel, states as follows:

JURISDICTION

1. This action arises out of Defendants' repeated violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (the "FDCPA").
2. Venue is proper in this District pursuant to 28 U.S.C. § 1331(b), in that Defendants transact business in this District.

PARTIES

3. Plaintiff, Felecia Stinson ("Plaintiff"), is an adult individual residing in Galena, Kansas, and is a "consumer" as the term is defined by 15 U.S.C. § 1692a(3).
4. Defendant Medicredit, Inc. ("Medicredit"), is a business entity with an address of Three Cityplace Drive, Suite 6900, Saint Louis, Missouri 63141, operating as a collection agency, and is a "debt collector" as the term is defined by 15 U.S.C. § 1692a(6).
5. Does 1-10 (the "Collectors") are individual collectors employed by Medicredit and whose identities are currently unknown to Plaintiff. One or more of the Collectors may be joined as parties once their identities are disclosed through discovery.
6. Medicredit at all times acted by and through one or more of the Collectors.

ALLEGATIONS APPLICABLE TO ALL COUNTS

A. The Debt

7. Plaintiff allegedly incurred a financial obligation (the “Debt”) to Freeman Hospital (the “Creditor”).

8. The Debt arose from services provided by the Creditor which were primarily for family, personal or household purposes, which meets the definition of a “debt” under 15 U.S.C. § 1692a(5).

9. The Debt was purchased, assigned or transferred to Medicredit for collection, or Medicredit was employed by the Creditor to collect the Debt.

10. Defendants attempted to collect the Debt and, as such, engaged in “communications” as defined in 15 U.S.C. § 1692a(2).

B. Medicredit Engages in Harassment and Abusive Tactics

11. On February 2, 2015, Medicredit contacted Plaintiff in an attempt to collect the Debt while Plaintiff was at work.

12. At that time, Plaintiff informed Medicredit that it was inconvenient for her to receive calls while she was at work. Plaintiff explained that she was at work between the hours of 8:00 a.m. and 5:00 p.m., and asked Medicredit not to call her during that time period.

13. Nevertheless, on February 24, 2015, Medicredit called Plaintiff at 1:08 p.m.

C. Plaintiff Suffered Actual Damages

14. Plaintiff has suffered and continues to suffer actual damages as a result of Defendants’ unlawful conduct.

15. As a direct consequence of Defendants’ acts, practices and conduct, Plaintiff suffered and continues to suffer from humiliation, anger, anxiety, emotional distress, fear, frustration and embarrassment.

COUNT I
VIOLATIONS OF THE FDCPA - 15 U.S.C. § 1692, et seq.

16. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

17. Defendants' conduct violated 15 U.S.C. § 1692c(a)(1) in that Defendants contacted Plaintiff at a time known to be inconvenient for Plaintiff.

18. Defendants' conduct violated 15 U.S.C. § 1692d in that Defendants engaged in behavior the natural consequence of which was to harass, oppress, or abuse Plaintiff in connection with collection of the Debt.

19. Defendants' conduct violated 15 U.S.C. § 1692d(5) in that Defendants caused a phone to ring with the intent to annoy and harass Plaintiff.

20. Defendants' conduct violated 15 U.S.C. § 1692f in that Defendants used unfair and unconscionable means to collect the Debt.

21. The foregoing acts and omissions of Defendants constitute numerous and multiple violations of the FDCPA.

22. Plaintiff is entitled to damages as a result of Defendants' violations.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendants:

1. Actual damages pursuant to 15 U.S.C. § 1692k(a)(1);
2. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A);
3. Costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3);
4. Punitive damages; and
5. Such other and further relief as may be just and proper.

TRIAL BY JURY DEMANDED ON ALL COUNTS

Dated: June 3, 2015

Respectfully submitted,

By: /s/ Sergei Lemberg

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